

So Ordered.

Dated: December 19, 2024



A handwritten signature in black ink, appearing to read "Beth E. Hanan".

Beth E. Hanan  
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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In re:	Chapter 13
Shawn M. South,	Case No. 22-25263-beh
Debtor	

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**ORDER GRANTING IN PART AND DENYING IN PART  
THE MOTION OF SERVBANK, SB  
FOR RELIEF FROM THE AUTOMATIC STAY  
WITH CONDITIONS FOR THE PROPERTY LOCATED AT  
3616 SHEPHERD LN, MANITOWOC, WI 54220**

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On December 3, 2024, the Court held a telephonic hearing on the Debtor's objection to a motion for relief from the automatic stay. Rebecca Quiroz appeared for the Chapter 13 Trustee. Noe Rincon appeared for the Debtor. Michael Acevedo appeared for Servbank, SB ("Creditor"). Upon discussion,

**IT IS ORDERED** that the motion is granted in part and denied in part subject to the following conditions:

1) The post-petition amount due through December 31, 2024 is \$32,861.81, which is calculated as follows:

Regular payment: 09/01/2023	\$ 2,078.35
Regular payment: 10/01/2023	\$ 2,078.35
Regular payment: 11/01/2023	\$ 2,078.35
Regular payment: 12/01/2023	\$ 2,078.35
Regular payment: 01/01/2024	\$ 2,078.35
Regular payment: 02/01/2024	\$ 2,130.96
Regular payment: 03/01/2024	\$ 2,130.96
Regular payment: 04/01/2024	\$ 2,130.96
Regular payment: 05/01/2024	\$ 2,130.96
Regular payment: 06/01/2024	\$ 2,130.96
Regular payment: 07/01/2024	\$ 2,130.96
Regular payment: 08/01/2024	\$ 2,130.96
Regular payment: 09/01/2024	\$ 2,130.96
Regular payment: 10/01/2024	\$ 2,130.96
Regular payment: 11/01/2024	\$ 2,130.96
Regular payment: 12/01/2024	\$ 2,130.96
Less suspense:	<u>\$ (970.50)</u>
Total:	<u>\$32,861.81</u>

2) The Debtor shall tender \$32,861.81 to the Creditor in sufficient time to be received by the Creditor on or before January 7, 2025. In the event these funds are not received by the Creditor in a timely manner, counsel for the Creditor may submit an affidavit of default and proposed order for relief from the automatic stay to the court for signature.

3) With respect to the Creditor's attorney's fees of \$1,050.00 and costs of \$199.00, the Creditor may file a notice pursuant to Federal Rule of Bankruptcy Procedure 3002.1(c) for these fees and costs. The notice will constitute a supplemental claim, which the trustee will pay pro rata when the trustee pays other secured creditors.

4) The Debtor shall file an amended plan to address payment of the outstanding pre-petition arrearage of \$65,176.79 on or before January 14, 2025. In the event the Debtor does not file an amended plan in a timely manner, counsel for the Creditor may submit an affidavit of default and proposed order for relief from the automatic stay to the court for signature.

5) Commencing January 2025 and continuing through and including June 2025, the Debtor shall tender regular monthly post-petition mortgage payments to the Creditor in sufficient time to be received by the Creditor on or before the sixteenth (16<sup>th</sup>) day of each month. In the event any payment is not received by the Creditor in a timely manner, counsel for the Creditor may submit an affidavit of default and proposed order for relief from the automatic stay to the court for signature.

6) Commencing July 2025, the Debtor shall tender regular monthly post-petition mortgage payments to the Creditor in sufficient time to be received by the Creditor on or before the sixteenth (16<sup>th</sup>) day of each month. In the event any payment is not received by the Creditor in a timely manner, counsel for the Creditor may request by letter another hearing upon the motion for relief from the automatic stay to the court for signature.

7) Pursuant to the terms of the Note, and pending further notice, the monthly mortgage payment amount is \$2,130.96, subject to adjustment due to escrow changes. The mortgage payments shall be mailed to Servbank, SB, 3138 E Elwood St, Phoenix, AZ 85034.

8) This order is a Doomsday Order under this court's Uniform Procedure for Doomsday Orders, it incorporates and is subject to the Uniform Procedure for Doomsday Orders.

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